

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3502 of 2024

Arising Out of PS. Case No.-282 Year-2023 Thana- GOPALPUR District- Gopalganj

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DINESH HOODA @ DINESH SON OF RAJENDRA @ RAJENDRA
SINGH RESIDENT OF VILLAGE - MUNGAN, P.S. - ROHTAK,
DISTRICT - ROHTAK, HARYANA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachina

For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Gopalpur P.S. Case No. 282 of 2023 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Amendment Act.

As per prosecution case, 207 litre foreign liquor
was recovered from Hyundai Car in question and petitioner was
apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence as alleged
in the FIR and he has falsely been implicated in this case. It is
further submitted that the petitioner has got no concern with the



vehicle in question and he is not in any way connected with the alleged recovery. Basically no incriminating article has been recovered from conscious possession of the petitioner. Petitioner had merely taken lift on the vehicle in question and he has no knowledge about the illicit liquor kept in the said vehicle. Petitioner has been apprehended on spot on basis of suspicion. Except suspicion, there is nothing on record to connect the present petitioner with the alleged occurrence. Petitioner is in custody since 06.11.2023. Petitioner bears no criminal antecedent.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV cum Special Excise Court-2, Gopalganj in connection with Gopalpur P.S. Case No. 282 of 2023, subject to the following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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